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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 State Farm Fire and Casualty Company,

10 Plaintiff,

11 v.

12 Amazon.com Incorporated, et al.,

13 Defendants.
14

No. CV-17-01994-PHX-JAT

ORDER

15 Pending before the Court is a stipulated-to protective order submitted by Plaintiff
16 and one Defendant. The stipulation offers the following justification: “Good cause exists
17 for entry of the Protective Order. In order to comply with their respective disclosure
18 obligations, the parties must disclose information that is protected, private, and/or
19 confidential. Some of this information relates to Defendant Amazon.com, Inc.’s
20 confidential and proprietary business information.” (Doc. 87 at 2). The actual proposed
21 order lists certain categories of documents that will be protected and also states
22 “‘Confidential Information’ means any information that is private, confidential, or
23 proprietary, including the following representative but non-exclusive examples:”
24 (Doc. 87-1 at 3).

25 Global protective orders are not appropriate. *See AGA Shareholders, LLC v. CSK*
26 *Auto, Inc.*, 2007 WL 4225450, at *1 (D. Ariz. Nov. 28, 2007). Rule 26(c) requires a party
27 seeking a protective order to show good cause for issuance of such an order. Fed. R. Civ.
28 P. 26(c)(1). “For good cause to exist under Rule 26(c), ‘the party seeking protection bears

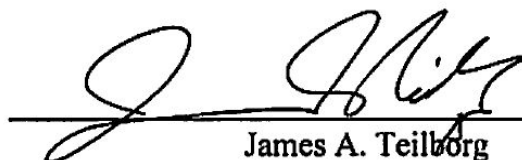
1 the **burden of showing specific prejudice or harm will result if no protective order is**
2 **granted.**” *AGA Shareholders*, 2007 WL 4225450, at *1 (emphasis added) (quoting
3 *Phillips v. G.M. Corp.*, 307 F.3d 1206, 1210-11 (9th Cir. 2002)). The party seeking
4 protection “**must make a ‘particularized showing of good cause with respect to [each]**
5 **individual document.**” *Id.* (emphasis added) (quoting *San Jose Mercury News, Inc. v.*
6 *U.S. Dist. Ct.*, 187 F.3d 1096, 1102 (9th Cir. 1999)).

7 Thus, “[t]he burden is on the party to requesting a protective order to demonstrate
8 that (1) the material in question is a trade secret or other confidential information within
9 the scope of Rule 26(c), and (2) disclosure would cause an identifiable, significant harm.”
10 *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1131 (9th Cir. 2003) (quoting
11 *Deford v. Schmid Prods. Co.*, 120 F.R.D. 648, 653 (D. Md. 1987)).

12 Here, the language of the parties’ proposed protective order is too generalized to
13 meet the requirements of Rule 26. For example, it defines confidential information as
14 information that is confidential. It offers no explanation of what information would be
15 included or why it would need to be protected. Accordingly, the stipulation will be
16 denied. Therefore,

17 **IT IS ORDERED** that the stipulation for a protective order (Doc. 87) is denied,
18 without prejudice.

19 Dated this 10th day of April, 2018.

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24 James A. Teilborg
25 Senior United States District Judge
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